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Attorneys for Defendant

HAWKER BEECHCRAFT CORPORATION

F/K/A RAYTHEON AIRCRAFT COMPANY

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

**SAN FRANCISCO DIVISION**

JAMES GUTHRIE, TONY DAVIDSON,  
RONALD ZERANGUE, SAMUEL RESTER,  
JOHN GRAY, ELMER PAROLINI, WAYNE  
DFAULT, and JESSE BEVERLY, JR.,

Plaintiffs,

v.

GENERAL ELECTRIC COMPANY, TODD  
SHIPYARDS CORPORATION, LOCKHEED  
MARTIN CORPORATION, RAYTHEON  
AIRCRAFT COMPANY, MCDONNELL  
DOUGLAS CORPORATION, and DOES 1-  
300,

Defendants.

**CASE NO. C07-2542 SI**

**DEFENDANT HAWKER BEECHCRAFT  
CORPORATION F/K/A RAYTHEON  
AIRCRAFT COMPANY'S NOTICE OF  
AND MOTION TO SEVER PURSUANT  
TO FED.R.CIV.P. 21**

Date: July 27, 2007

Time: 9:00 a.m.

Courtroom: 10 – Honorable Susan Illston

Complaint filed: May 14, 2007

**TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

PLEASE TAKE NOTICE THAT on July 27, 2007 at 9:00 a.m. or as soon thereafter as the matter may be heard, in the Courtroom of the Honorable Susan Illston located at 450 Golden Gate Avenue, San Francisco, California 94102, Defendant Hawker Beechcraft Corporation f/k/a Raytheon Aircraft Company ("Raytheon") will and hereby does move for an order severing and dismissing Plaintiff Jesse Beverly, Jr.'s claims, pursuant to Rule 21 of the Federal Rules of Civil Procedure, on the grounds that Plaintiff Jesse Beverly's claims have been improperly joined with

1 the claims of the other seven plaintiffs in this action under Rule 20 of the Federal Rules of Civil  
2 Procedure.

3 This Motion is based upon this Notice of Motion and Motion, Raytheon's Memorandum of  
4 Points and Authorities in support thereof, Raytheon's Compendium of Legal Authorities, and all  
5 other papers and pleadings on file in this action.

6  
7  
8 DATED: June 19, 2007.

FILICE BROWN EASSA & MCLEOD LLP

9 /s/ Ted Mechtenberg

10 By: \_\_\_\_\_

11 TED MECHTENBERG  
12 Attorneys for Defendant  
13 Hawker Beechcraft Corporation f/k/a  
14 Raytheon Aircraft Company  
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**PROOF OF SERVICE**

***Jesse Beverly, Jr. v. General Electric Company, et al.***  
**United States District Court Northern District of California San Francisco**  
**C07-2542JL**

I am a citizen of the United States, over 18 years of age and not party to the within action. I am employed in the county of Alameda; my business address is 1999 Harrison Street, 18<sup>th</sup> Floor, Oakland, CA 94612.

On the date listed below, I served the within documents:

**DEFENDANT HAWKER BEECHCRAFT CORPORATION F/K/A RAYTHEON  
AIRCRAFT COMPANY'S NOTICE OF AND MOTION TO SEVER PURSUANT TO  
FED.R.CIV.P.21**

on all parties in this action, as addressed below, by causing a true copy thereof to be distributed as follows:

**ALL COUNSEL  
VIA ELECTRONIC COURT FILING (ECF) AND PACER  
(SEE PLAINTIFF'S SERVICE LIST ATTACHED)**



**VIA ELECTRONIC  
SERVICE**

I caused a true and correct copy of such document(s) to be electronically served on counsel of record by transmission The U.S. District Court Northern District of California, San Francisco Division via Electronic Court Filing (ECF).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on June 19, 2007, at Oakland, California.

/s/ Lori D. Tyler

\_\_\_\_\_  
Lori D. Tyler